

Message Text

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BRUSSELS ALSO FOR USEEC, BELGRADE FOR CSCE DEL

E.O. 11652: GDS

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TAGS: PFOR, EEC, BE

SUBJECT: US/EC PRESIDENCY DIALOGUE - SEPT. 6-7 EC-9
POLITICAL DIRECTORS MEETING

REFS: (A) BRUSSELS 10414, (B) BRUSSELS 10488 (NOTAL),
(C) SECTO 09046 (NOTAL)

1. IN CONNECTION WITH SUBJECT MEETING, EMBASSY IS
REQUESTED TO CONSULT WITH BELGIAN PRESIDENCY ON THE FOLLOW-

ING AGENDA TOPICS (REF A). DETAILED CONSULTATIONS WITH THE PRESIDENCY ON UNGA SESSIONS THIS FALL WILL BE HELD SEPT. 7 IN BRUSSELS (REF B). GUIDANCE RE THE SECRETARY'S PEKING VISIT PROVIDED REF C.

2. MIDDLE EAST. EMBASSY MAY DRAW ON THE FOLLOWING.

A. VANCE TRIP. SEE SECTO 8170, REPEATED TO YOU.

B. EGYPT/LIBYA CONFLICT. THE FIGHTING WHICH TOOK PLACE BETWEEN EGYPT AND LIBYA IN LATE JULY WAS INCONCLUSIVE. THE ULTIMATE EGYPTIAN OBJECTIVE--REMOVAL OF QADHAFI--WAS NOT ONLY FRUSTRATED, BUT THERE IS EVIDENCE THAT QADHAFI'S DOMESTIC POLITICAL POSITION MAY HAVE BEEN STRENGTHENED AS A RESULT OF THE REACTION TO EGYPTIAN MILITARY ACTION. ALL

INDICATIONS ARE THAT MUTUAL ANIMOSITY BETWEEN QADHAFI AND SADAT CONTINUES UNABATED. HOWEVER, BOTH BY REASON OF THEIR OWN ANALYSES OF THE SITUATION AND REFLECTING THE POSITIONS AND MEDIATION OF OTHER ARAB PARTIES, THERE SEEMS TO HAVE BEEN SOME ATENUATION OF THE IMMEDIATE DESIRE TO SOLVE BILATERAL DISPUTES THROUGH USE OF FORCE. HENCE, WHILE EACH CONTINUES TO MAINTAIN A HIGH STATE OF MILITARY CONFIDENTIAL

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PREPAREDNESS IN THE REGION, NEITHER IS OVEREAGER TO INITIATE A NEW ROUND OF HOSTILITIES. THE ECONOMIC EFFECTS OF THE DISPUTE ARE UNCLEAR AT THIS TIME, ALTHOUGH SOME REPORTS INDICATE THAT NEITHER LIBYA NOR EGYPT INDEFINITELY CAN SUSTAIN THE BURDEN OF HIGH MOBILIZATION ON THEIR MUTUAL BORDER.

C. ISRAELI SETTLEMENTS IN OCCUPIED TERRITORIES. OUR POLICY WITH RESPECT TO ISRAELI SETTLEMENT ACTIVITY IS WELL KNOWN: WE REGARD IT AS BOTH CONTRARY TO INTERNATIONAL LAW UNDER THE FOURTH GENEVA CONVENTION AND AS CREATING OBSTACLES TO PEACE NEGOTIATIONS. BOTH THE PREVIOUS LABOR GOVERNMENT AND THE PRESENT GOVERNMENT HAVE ESSENTIALLY IGNORED OUR OBJECTIONS, BUT WE REGARD THE PRESENT GOVERNMENT'S POLICIES AS POTENTIALLY MORE HARMFUL BECAUSE, WHILE THE LABOR GOVERNMENT'S SETTLEMENTS POLICY WAS BASED ON A SECURITY RATIONALE AND LIMITED ESSENTIALLY TO THINLY-POPULATED AREAS, BEGIN'S POLICY IS EXPLICITLY BASED ON THE ASSERTED RIGHT OF THE JEWISH PEOPLE TO SETTLE ANYWHERE IN THE LAND OF ISRAEL, WHICH IS DEFINED AS INCLUDING ALL OF THE WEST BANK AND GAZA AND SPECIFICALLY THE DENSELY ARAB-POPULATED CENTRAL PORTIONS OF THE WEST BANK. THESE SETTLEMENTS ARE THUS CONCRETE MANIFESTATIONS OF BEGIN'S STATED INTENTION NOT TO WITHDRAW FROM ANY TERRITORY ON THE WEST BANK THAT WILL BE EXCEEDINGLY DIFFICULT TO REVERSE.

AS THE ISRAELIS HAVE CORRECTLY POINTED OUT, BOTH THE

SETTLEMENTS RETROACTIVELY GIVEN OFFICIAL STATUS ON JULY 25 AND THE THREE NEW SETTLEMENTS APPROVED BY THE CABINET ON AUGUST 17 ORIGINATED UNDER THE OLD GOVERNMENT, AND IT MAY WELL YET BE THAT BEGIN WILL EXERCISE SOME RESTRAINT IN SETTING UP ENTIRELY NEW SETTLEMENTS, BUT WE HAVE RECEIVED NO ASSURANCES TO THAT EFFECT. TO THE CONTRARY, DAYAN HAS ANNOUNCED PUBLICLY THAT SETTLEMENT ACTIVITY WILL CONTINUE WITHOUT INTERRUPTION. THESE SETTLEMENTS COULD HAVE A PROFOUND IMPACT UPON THE PEACE PROCESS, AND IN PARTICULAR
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UPON THE ARABS' VIEW OF ISRAEL AS A NEGOTIATING PARTNER WILLING TO MAKE THE COMPROMISES NECESSARY FOR PEACE. WE ARE HOPEFUL, HOWEVER, THAT THE ACTUAL COMMENCEMENT OF

NEGOTIATIONS IN GENEVA, SHOULD THEY COME ABOUT, COULD INDUCE ISRAEL TO TAKE A MORE MODERATE POSITION REGARDING SETTLEMENT ACTIVITIES.

WE EXPECT THIS SETTLEMENT ISSUE TO BE TROUBLESOME AT UNITED NATIONS, BUT EGYPT'S EFFORTS TO ADD SUBJECT TO UNGA AGENDA COULD RELIEVE PRESSURE FOR ANOTHER FRUITLESS UNSC DEBATE ON SETTLEMENTS. WE HAVE DISCOURAGED THE EGYPTIANS STRONGLY FROM SEEKING A UNSC DEBATE.

D. GRANTING OF "EQUAL RIGHTS" TO OCCUPIED TERRITORIES. THE ISRAELI DECISION TO EXTEND "EQUAL RIGHTS" TO INHABITANTS OF THE WEST BANK AND GAZA RAISES SEVERAL IMPORTANT LEGAL AND POLITICAL QUESTIONS. MUCH WILL DEPEND ON WHAT STEPS ARE ACTUALLY TAKEN TO IMPLEMENT THE DECISION.

FROM A LEGAL POINT OF VIEW, THE IMPACT OF THE ANNOUNCEMENT IS NOT ENTIRELY CLEAR, PARTICULARLY SINCE IT DOES NOT SPECIFY THE ACTUAL CHANGES THE GOVERNMENT PLANS TO MAKE. THE ABOLITION OF CHILD LABOR AND THE ACCELERATION OF HOSPITAL CONSTRUCTION, FOR EXAMPLE, ARGUABLY COME WITHIN THE DOMAIN OF PERMISSIBLE PUBLIC WELFARE ACTIONS.

WHILE ANY INDIVIDUAL ACTION TAKEN PURSUANT TO THE ANNOUNCEMENT MAY NOT BE, PER SE, ILLEGAL FROM THE STANDPOINT OF INTERNATIONAL LAW ON BELLIGERENT OCCUPANCY, THE CUMULATIVE EFFECT OF SUCH ACTIONS MAY BE ILLEGAL IF THE PATTERN OF SUCH ADMINISTRATIVE ACTIONS ALTERS THE FUNDAMENTAL INSTITUTIONS OF THE WEST BANK AND GAZA. CHANGES AIMED AT
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TRANSFORMING THE ECONOMIC, CULTURAL, AND SOCIAL SYSTEM INTO A DISTINCTLY ISRAELI ONE WOULD BE BEYOND THE LEGITIMATE LIMITS OF BELLIGERENT OCCUPATION GOVERNMENT. THAT THIS MAY BE THE INTENT AND EFFECT IS IMPLICIT IN THE CIRCUMSTANCES

OF THE ANNOUNCEMENT.

POLITICALLY, THE DECISION REPRESENTS A BREAK WITH THE POLICY OF THE LABOR GOVERNMENT, WHICH STROVE FOR A DECADE TO RESIST PRESSURES FROM ITS OWN HARDLINERS (DAYAN IN PARTICULAR), AS WELL AS THE LIKUD AND THE NRP, TO INTEGRATE DENSELY POPULATED PORTIONS OF THE WEST BANK INTO ISRAEL. A LABOR SPOKESMAN ASSAILED IT, TERMING IT "CREEPING ANNEXATION." THE CABINET SECRETARY DEFENDED THE NEW POLICY, HOWEVER, SAYING THAT ISRAEL COULD NOT "ANNEX THE LAND OF ISRAEL FOR THE PEOPLE OF ISRAEL SINCE IT ALREADY BELONGS TO THEM." HE ALSO STRESSED THAT THE POLICY WOULD NOT CHANGE THE LEGAL STATUS OF THE RESIDENTS OF THESE AREAS OR RESULT IN THE EXTENSION OF ISRAELI LAW

THERE, NOR WERE THERE PLANS TO ENFRANCHISE WEST BANKERS OR GAZANS FOR ISRAELI ELECTIONS.

WE SEE SEVERAL POSSIBLE PURPOSES THIS MOVE MIGHT BE INTENDED TO SERVE:

--PART OF AN EFFORT TO ENCOURAGE ISRAELIS TO SETTLE IN THE WEST BANK;

--AN ISRAELI EFFORT TO RESPOND TO CRITICISM FROM WHO, UNESCO, AND THE ILO THAT ISRAELI PRACTICES IN THE OCCUPIED AREAS ARE DISCRIMINATORY. BY EXTENDING ADDITIONAL FUNDS FOR SOCIAL PROJECTS (EDUCATION, HOSPITALS), TO THE RESIDENTS OF THESE AREAS, ISRAEL MAY HOPE TO UNDERCUT THIS CRITICISM AND GAIN A BREATHING SPACE IN INTERNATIONAL FORUMS.

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--ANOTHER SOP TO BEGIN'S RADICAL SUPPORTERS, SUCH AS THE GUSH EMUNIM, WHICH HE COULD UTILIZE AS LEVERAGE TO RESIST FURTHER DEMANDS FOR NEW SETTLEMENTS.

E. EFFORT TO AMEND RESOLUTION 242 AND US CONTACTS WITH PLO. SEE SECTO 8171.

3. CYPRUS

A. VAROSHA. WE CONSIDER IT UNFORTUNATE THAT THE GOC CHOSE TO REQUEST A SECURITY COUNCIL SESSION ON CYPRUS AND ON THE VAROSHA ISSUE IN PARTICULAR. UNDER THE CIRCUMSTANCES THIS ACTION CAN BE LITTLE MORE THAN A PROPAGANDISTIC EXERCISE THAT WILL WORSEN RELATIONS BETWEEN THE TWO CYPRIOT COMMUNITIES AND DIMINISH EVEN FURTHER THE PROSPECTS FOR RESUMPTION OF TALKS IN THE INTERCOMMUNAL FORUM, WHERE WE CONTINUE TO BELIEVE ALL EFFORTS TOWARDS A SETTLEMENT SHOULD BE CONCENTRATED. THE GOT HAS INFORMED

US THAT THERE ARE CURRENTLY NO PLANS TO RESETTLE VAROSHA BEYOND THE HOTEL AND ADJACENT BUILDINGS ALREADY REOPENED, AND, ARMED WITH THIS ASSURANCE, WE ARE SEEKING TO FORESTALL INTRODUCTION OF ANY RESOLUTION INTO THE SECURITY COUNCIL DEBATE (THE DRAFT GOC RESOLUTION BEING TOTALLY ONE-SIDED) OR, FAILING THAT, TO DEVELOP A RESOLUTION THAT WILL BE FAIR TO THE TURKS AND LIMIT THE DAMAGE DONE. WE ARE WORKING ON THIS IN CLOSE COORDINATION WITH UK, FRENCH, GERMAN AND CANADIAN REPRESENTATIVES IN NEW YORK.

B. CYPRUS AT THE UNGA. THE GOT AND THE GOC HAVE BOTH REQUESTED OUR SUPPORT FOR THEIR CONFLICTING PROPOSALS FOR THE PROCEDURAL HANDLING OF THE CYPRUS ISSUE AT THE UNGA.

THE FORMER WISH TO SEE THE ISSUE REFERRED TO THE FIRST CONFIDENTIAL

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POLITICAL COMMITTEE PRIOR TO PLENARY CONSIDERATION; THE LATTER FAVOR ALLOTING IT TO THE PLENARY WITH SUBSEQUENT REFERRAL TO THE SPECIAL POLITICAL COMMITTEE. OUR INCLINATION IS TO AVOID TAKING ANY PREMATURE POSITION ON THESE AND OTHER PROCEDURAL ASPECTS OF UNGA CONSIDERATION OF THE CYPRUS ISSUE, BUT TO CONSULT ON THESE MATTERS WITH THE EC-9.

C. MAKARIOS SUCCESSION. ASSESSMENT PROVIDED BY SEPTEL.

4. CSCE. EMBASSY MAY MAKE THE FOLLOWING POINTS:

--WE GREATLY APPRECIATE THE COOPERATIVE SPIRIT THAT HAS CHARACTERIZED CSCE CONSULTATIONS BETWEEN MEMBERS OF NATO AND THE EC UP TO AND DURING THE BELGRADE PREPARATORY MEETING.

--CONTINUED CLOSE CONSULTATIONS WILL BE ESSENTIAL TO ACHIEVING OUR MUTUAL GOALS AT THE MAIN BELGRADE MEETING.

--WE WILL BE INTERESTED IN LEARNING THE RESULTS OF THE CSCE DISCUSSION AT THE FORTHCOMING POLITICAL DIRECTORS' MEETING, AND WE LOOK FORWARD TO CONSULTATIONS AT THE CSCE EXPERTS' MEETING AT NATO, SEPTEMBER 7-8.

--WE CONTINUE TO SUPPORT FULLY THE EC-9 IN ITS DESIRE FOR RECOGNITION AS A PARTICIPANT IN ITS OWN RIGHT AT BELGRADE.

--AT BELGRADE THE UNITED STATES WILL SEEK A THOROUGH, FACTUAL REVIEW OF IMPLEMENTATION OF THE ENTIRE FINAL ACT WITH A VIEW TOWARD IMPROVING IMPLEMENTATION IN ALL 35 COUNTRIES.

--WHILE SEEKING A BALANCED EXAMINATION OF ALL ASPECTS OF THE FINAL ACT, OUR DELEGATION WILL REFLECT THE PARTICULAR

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WITH HUMAN RIGHTS, PRINCIPLE VII AND BASKET III.

--NEW PROPOSALS CAN BE A POSITIVE ELEMENT IN BELGRADE DIS-
CUSSIONS AND FURTHER BELGRADE-STYLE MEETINGS CAN ENHANCE
DETENTE. CHRISTOPHER

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